

1 just described be marked for identification.

2 JUDGE CHACHKIN: The documents described are marked  
3 for identification as Bureau Exhibits 400 through 413.

4 (The documents referred to as Mass  
5 Media Bureau 400 - 413 were marked  
6 for identification.)

7 JUDGE CHACHKIN: Are we going to take up the receipt  
8 or are we going to have Mr. Cohen do, identify his exhibits?

9 MR. COHEN: The latter, Your Honor.

10 JUDGE CHACHKIN: All right. Mr. Cohen?

11 MR. COHEN: Can we go off the record for one second,  
12 Your Honor?

13 JUDGE CHACHKIN: Yes.

14 MR. COHEN: I want to make sure I don't --

15 (Off the record.)

16 (Back on the record.)

17 MR. COHEN: Your Honor, on behalf of Glendale  
18 Broadcasting Company I'm going to be marking for  
19 identification several exhibits. As I understand it you have,  
20 pursuant to an off-the-record discussion you have authorized  
21 me to proceed in, in, in a rather somewhat irregular fashion  
22 in that I will not be identifying exhibits seriatim, but I'm  
23 going to be starting with Exhibit 10. And the reason I'm  
24 going to be starting with Exhibit 10, Your Honor, so the  
25 record is clear is that there is a lot of commonality if you

1 will between the exhibits of Glendale and the exhibits of the  
2 Bureau. And Exhibits 1 through 9, Glendale Exhibits 1 through  
3 9 are exhibits which have been marked for identification by  
4 the Mass Media Bureau. And so it's my understanding that  
5 rather than burden the record by having cumulative  
6 identification you've asked me to just identify those exhibits  
7 which Glendale proposes to offer which the Bureau has not  
8 offered.

9 JUDGE CHACHKIN: That's correct.

10 MR. COHEN: That, do I have it right?

11 JUDGE CHACHKIN: You have it correct.

12 MR. COHEN: Okay. Then, Your Honor, the first  
13 exhibit that Glendale would have marked for identification is  
14 Exhibit 10, and the reporter has record copies, Your Honor, of  
15 the documents. And Exhibit 10 is a letter from Joseph Dunn to  
16 William Tricarico dated 12/5/1980 transmitting FCC Form 346  
17 and a copy of the application.

18 Exhibit --

19 JUDGE CHACHKIN: And it consists of 15 pages.

20 MR. COHEN: Yes, I should get that, I have that,  
21 Your Honor. I was reading from the wrong place. It consists  
22 of 15 pages.

23 Exhibit 12, Your Honor --

24 JUDGE CHACHKIN: So 11 you're not identifying?

25 MR. COHEN: That's correct, I am not identifying it.

1 That's a common exhibit.

2 Exhibit 12, Your Honor, is a letter from the IRS to  
3 Translator TV Inc., dated 1/7/1980. It consists of --

4 JUDGE CHACHKIN: Three pages.

5 MR. COHEN: -- three pages. Exhibit 13, Your Honor,  
6 is a letter response from, letter response from Translator TV  
7 Inc. to IRS dated January -- let me make sure, January 7, 1980  
8 -- no, I'm in error.

9 JUDGE CHACHKIN: February 12th, 1980.

10 MR. COHEN: I'm on the wrong exhibit. I'm on 12,  
11 aren't I, Your Honor?

12 JUDGE CHACHKIN: Yes. No, 13.

13 MR. COHEN: I'm on 13? Oh, I think I'll just read  
14 from -- The response of Translator TV Inc. to the letter of  
15 Internal Revenue Service dated January 7, 1980, and that  
16 exhibit consists of --

17 JUDGE CHACHKIN: No, that's 12. We're on 13 now.

18 MR. COHEN: Now I'm -- that's --

19 JUDGE CHACHKIN: 13 is a letter response from  
20 Translator TV Inc. to IRS dated 2/12/81.

21 MR. COHEN: Then I -- okay, my file is, my file is  
22 in error, Your Honor. Thank you for the help. Okay, I  
23 apologize, I gave --

24 JUDGE CHACHKIN: All right, that's 13 pages. All  
25 right, that's been identified. Go on.

1 MR. COHEN: I'm not going to be, I, I am withdrawing  
2 Exhibit 16.

3 JUDGE CHACHKIN: 14 and 15 are being identified?

4 MR. COHEN: No, sir, 14, 14 is a common exhibit, 15  
5 is a common exhibit.

6 JUDGE CHACHKIN: All right.

7 MR. COHEN: And 16 is being withdrawn.

8 JUDGE CHACHKIN: 16 -- well, it's not being  
9 identified.

10 MR. COHEN: Not being identified, yes, good point.  
11 Not identified. The next exhibit is 21, Your Honor.

12 JUDGE CHACHKIN: Well let me indicate 17 through 20  
13 is not being identified.

14 MR. COHEN: Correct. 21 is the next exhibit which  
15 is a letter from Terry Hickey to Colby May dated 5/22 and we  
16 can't tell the year. It's one page. And Exhibits 22 through  
17 29 are common exhibits so they're not being marked.

18 Exhibits 30 and 31 are common exhibits, they're not  
19 being marked. Exhibit 32 is, is, are the minutes of a special  
20 meeting of the Board of Directors of Translator TV Inc on  
21 February 2nd, 1987, and that's one page, Your Honor. 33  
22 through 38 are common exhibits, they're not being marked.

23 39, Your Honor, is a letter from Colby May to the  
24 FCC Low Power Television Window Filing, and FCC Form 346  
25 regarding Hartford, Connecticut, Your Honor, and that consists

1 of --

2 JUDGE CHACHKIN: I have 18 pages.

3 MR. COHEN: I'm sorry, Your Honor, she didn't do  
4 what she was supposed to.

5 JUDGE CHACHKIN: Well I have 18 pages, so --

6 MR. COHEN: Thank you for your help.

7 JUDGE CHACHKIN: All right.

8 MR. COHEN: I'd asked that these pages be numbered  
9 and some of them haven't been. 40 through 40, 40 through 51  
10 are common exhibits and I'm not going to mark them, Your  
11 Honor.

12 JUDGE CHACHKIN: That's 40 through 51?

13 MR. COHEN: Yes. 52 is a letter from David P.  
14 Espinoza to Paul Crouch dated January 10, 1990 of one page.

15 MR. TOPEL: Just a minute, excuse me. My index says  
16 January 20 --

17 MR. COHEN: January 10 is what it says on the  
18 letter.

19 MR. TOPEL: Okay. So the index is in --

20 MR. COHEN: Yeah, the index is in error, your point  
21 is well taken. Documents 53 through 57 are common exhibits  
22 and will not be marked.

23 58, Your Honor, is a letter from David Espinoza to  
24 Jane Duff, or James, dated July 23, 1990. One page. 59 is a  
25 letter from David Espinoza to Paul Crouch dated July 23, 1990.

1 That's one page. 60 is a common exhibit. 61, Your Honor, is  
2 a letter to David Espinoza to Paul Crouch dated August 23,  
3 1990.

4 62, Your Honor, is a letter to Colby May from Jane  
5 Duff dated August 17, 1990.

6 Common exhibits are 63 through 74, so 75 is my next  
7 exhibit which is a letter dated October 8, 1991, to E.V. Hill  
8 from Jane Duff.

9 Your Honor, documents 76 through 80 are common  
10 exhibits.

11 81, Your Honor, is a letter -- well, it's not a  
12 letter, it's a verified statement from Pastor David Espinoza  
13 dated April 27, 1992. Exhibits 82 through 84 are common  
14 exhibits. Exhibit 85, Your Honor, is a letter to E.V. Hill  
15 from Jane Duff dated May 21, 1992. 86 is a common exhibit.  
16 87, Your Honor, is an action by written consent of the Board  
17 of Directors of NMTV dated as of December 17, 1992. 88 is  
18 action by written consent of Board of Directors of NMTV and it  
19 also is dated as of December 17, 1992. 89, Your Honor, is,  
20 it's special meeting of Board of Directors of NMTV March 20,  
21 1993. Two pages.

22 93 is the next exhibit, Your Honor, that is not  
23 common. 91 and 92 are common. 93 is a document entitled  
24 promissory note dated January 1, 1993 and it consists of four  
25 pages. 94 is a one page document entitled "Dear Jane," signed

1 -- no signature, with a president typed in and it's dated May  
2 17, 1985.

3 95 is a one page document with no signature but a  
4 line for president to Jane Duff dated December 3, 1985. 96 is  
5 a one page document to, entitled to Jane Duff from Paul Crouch  
6 dated July 17 -- July 7, 1986. 97 is a one page document  
7 dated October 12, 1987 to Jane Duff from Paul Crouch. 98 is  
8 an interoffice memo dated February 3, 1993 to Alan Brown from  
9 Jane Duff. 99 is a common exhibit.

10 100 is a letter to William Boyce from Jane Duff  
11 dated June 12, 1989. 102 --

12 JUDGE CHACHKIN: 101 is a common --

13 MR. COHEN: Excuse me. 101 is a letter dated June  
14 12, 1989 to Linda Brousseau, Brousseau, from Jane Duff. 102  
15 is a letter to Thomas Gliebe dated June 9, 1989 from Jane  
16 Duff. 103 is a letter to -- it's a memo to station managers  
17 from Jane Duff dated August 15, 1989. 104 is a memo dated  
18 October 3, 1989 to all station managers from Jane Duff.

19 105 is a memo to all station managers from Jane Duff  
20 dated February 22nd, 1990. 106 is an interoffice memo to all  
21 station managers from Jane Duff dated May 25, 1990. One page.  
22 Where I haven't been numbering or giving the page numbers,  
23 Your Honor, it's because there's been just one page.

24 JUDGE CHACHKIN: All right.

25 MR. COHEN: 107 is a memo to all station managers

1 from Jane Duff dated June 28, 1990.

2 108 is a memo -- excuse me, is a letter, Your Honor,  
3 I stand corrected, from Arlene, Darlene Eave, dated June 8,  
4 1991 from Jane Duff. 109 is an interoffice memo to all  
5 station managers from Jane Duff dated May 7, 1991.

6 110 is a common document. 111, Your Honor, is a  
7 letter to Jim McClellan dated May 21, 1991 from Jane Duff.  
8 Two pages. 112 is a letter to Jim Duff -- Jim McClellan, Your  
9 Honor, from -- well, it's signed by management and it's dated  
10 September 4, 1991. Two pages. 113 is a letter to Jim  
11 McClellan from Jane Duff dated October 10, 1991. 114 is a  
12 letter to Jim McClellan from Jane Duff dated November 6, 1991.

13 115 is a letter to Jim McClellan from Jane Duff  
14 dated May 21, 1992. 117 --

15 JUDGE CHACHKIN: 116 has not been identified.

16 MR. COHEN: Excuse me, Your Honor, just -- 116 is a  
17 letter to Jim McClellan from Jane Duff dated July 1, 1992.  
18 117 is a letter to Jim McClellan from Jane Duff dated July 8,  
19 1992. 118 is a letter to Jim McClellan from Jane Duff dated  
20 July 15, 1992. 119 is a letter to Jim McClellan from Jane  
21 Duff dated July 15, 1992.

22 120 is a memorandum to station manager from  
23 management dated December 16, 1992. That's three pages. 121  
24 is a common document. 122 through 124 are common documents.

25 125 is a one page document, a check requisition with



1 a, with date of January 22nd, 1991. NMTV. 126 through 129  
2 are common documents.

3 130 is a memo under letterhead of NMTV engineering  
4 department dated August 27, 1991 to the file from Ben Miller.  
5 131 is a document entitled National Minority Television Inc.,  
6 site acquisition checklist. Consists of two pages. Not  
7 dated, Your Honor. 132 is a document entitled Trinity  
8 Broadcasting Network site acquisition checklist, it's two  
9 pages and it's also not dated. 133 is a common document. 134  
10 is a one page letter from George C. Sebastian to Murray  
11 Michaels.

12 135 is a memo under letterhead of NMTV engineering  
13 department dated September 4, 1990, to Pat St. John Clerk from  
14 Eddie Sills. One page. 136 is a common document.

15 137 -- can I just have a minute, Your Honor? I --

16 JUDGE CHACHKIN: Well why don't we just stop at this  
17 point and let me mark for identification the documents you've  
18 already --

19 MR. COHEN: Good, I'd like that, thank you.

20 JUDGE CHACHKIN: All right, the following documents  
21 of Glendale are marked for identification: Exhibit 10,  
22 Exhibit 12, Exhibit 13, Exhibit 21, Exhibit 32, Exhibit 39,  
23 Exhibit 52, Exhibit 58, Exhibit 59, Exhibit 61, Exhibit 62,  
24 Exhibit 75, Exhibit 81, Exhibit 85, Exhibit 87, Exhibit 88,  
25 Exhibit 89, Exhibit 93, Exhibit 94, Exhibit 95, Exhibit 96,

1 Exhibit 97, Exhibit 98, Exhibit 100, Exhibit 101, Exhibit 102,  
2 Exhibit 103, Exhibit 104, Exhibit 105, Exhibit 106, Exhibit  
3 107, Exhibit 108, Exhibit 109, Exhibit 111, Exhibit 112,  
4 Exhibit 113, Exhibit 114, Exhibit 115, Exhibit 116, Exhibit  
5 117, Exhibit 118, Exhibit 119, Exhibit 120, Exhibit 125,  
6 Exhibit 130, Exhibit 131, Exhibit 132, Exhibit 134 and Exhibit  
7 135.

8 (The documents referred to as  
9 Glendale Exhibits 10, 12, 13, 21, 32,  
10 39, 52, 58, 59, 61, 62, 75, 81, 85,  
11 87, 88, 89, 93, 94, 95, 96, 97, 98,  
12 100, 101, 102, 103, 104, 105, 106,  
13 107, 108, 109, 111, 112, 113, 114,  
14 115, 116, 117, 118, 119, 120, 125,  
15 130, 131, 132, 134 and 135 were  
16 marked for identification.)

17 JUDGE CHACHKIN: Please continue now, Mr. Cohen.

18 MR. COHEN: Yes. Starting now with 137?

19 JUDGE CHACHKIN: Yes.

20 MR. COHEN: Okay. 137 is a one page document on the  
21 letterhead of NMTV Inc. engineering department dated October  
22 10, 1990, to Pat St. John Clerk from Debbie Sills. 138 is a  
23 letter on the letterhead of F&L Electronics dated January 23,  
24 1992 addressed to National Minority Television, attention  
25 George Sebastian. One page. 139 is a facsimile document,

1 facsimile on the letterhead of NMTV signed by George Horvath  
2 and the date on that is June 17, 1992.

3 140 is a one page document entitled facsimile on the  
4 letterhead of NMTV Inc dated December 18, 1992, signed by  
5 George Horvath. 141 is a one page document on I guess the  
6 letterhead of the NMTV Inc., it has several dates, the first  
7 date is June 24, 1993 and it's entitled construction  
8 authorization form. 142 is a facsimile, type of document  
9 titled facsimile under letterhead of NMTV dated July 1, 1993,  
10 signed by George Horvath. 143 and 144 are common documents.

11 145 is a letter dated August 18, 1992 to Ben Miller  
12 signed by a Michael D. Blackwell. Two pages. 146 is a letter  
13 on the letterhead of W. Ben Miller dated August 21, 1992, to  
14 Michael D. Blackwell. 147 and 148 are common documents. 149  
15 is a letter to Syncom Incorporated dated October 1, 1992,  
16 signed by Norman Newbert.

17 150 is a letter on the letterhead of Syncom  
18 Incorporated dated October 13, 1992 to Norman Newbert signed  
19 by, appears to be Mark Blackwell. 152 is common --

20 JUDGE CHACHKIN: 151, what happened? Is that common  
21 too?

22 MR. COHEN: Did I miss 151, Your Honor?

23 JUDGE CHACHKIN: Yes, says a memorandum to Ben  
24 Miller.

25 MR. COHEN: I missed one, you're right, Your Honor,

1 I missed it. I'm sorry. 151 is a memorandum dated May 10,  
2 1989 to all chief engineers from Ben Miller. 152 is common.  
3 153 is a memo on letterhead of NMTV engineering department  
4 dated December 2, 1989 to Paul Crouch from Ben Miller. And  
5 it's two pages. 154 is a letter, a memo rather on the  
6 letterhead of W. Ben Miller dated December 6, 1989 to Mark  
7 Fallon.

8 156 is --

9 JUDGE CHACHKIN: 155 is next.

10 MR. COHEN: Or 155, excuse me. 155. 155 is a memo  
11 on letterhead of W. Ben Miller dated December 22nd, 1989 to  
12 Darlene Eave. One page. 156 is common. 157 is a letter,  
13 document called memo on the letterhead of NMTV engineering  
14 department dated September 27, 1990 to Jim McClellan from Ben  
15 Miller. 158 is a letter, a memo on the letterhead of the  
16 engineering department of NMTV dated October 10, 1990, to  
17 Eddie Sills from Ben Miller. 159 is common.

18 160 is a letter, or memo on the letterhead of NMTV  
19 engineering department dated October 10, 1990 to Darlene Eave  
20 from Ben Miller. 161 is a memo on the letterhead of NMTV  
21 engineering department dated December 6, 1990, to Mark  
22 Fountain from Ben Miller. 162 and 3 are common, Your Honor.  
23 164 is a memo on the letterhead of NMTV engineering department  
24 dated December 12, 1990.

25 165 is a memo on the letterhead of NMTV engineering

1 department dated January 17, 1991 to Eddie Sills from Ben  
2 Miller. 166 is a memo on the letterhead of NMTV engineering  
3 department dated February 12, 1991, to Mark Fountain from Ben  
4 Miller. 167 is a document entitled Supplemental Filing to  
5 Application for Private Operational Fixed Station for NMTV,  
6 doesn't have a date, Your Honor, and it has W. Ben Miller's  
7 date on it, it's not signed by him. 168 is a document on the  
8 letterhead of W. Ben Miller, technical consultant, dated May  
9 1, 1991 to Corby May from Ben Miller. 169, Your Honor, is a  
10 document, a memo on the letterhead of NMTV engineering  
11 department dated June 13, 1991 to Jim McClellan from Ben  
12 Miller.

13 170 is a document on the letterhead of NMTV  
14 engineering department dated June 24th, 1991, to Mark Fountain  
15 from Ben Miller. 171 is a document on the letterhead of the  
16 NMTV's international headquarters dated January 9, 1992,  
17 signed by W. Ben Miller. 172 is common. 173 is a one page  
18 document which on the top states Planck Technical Services  
19 Inc., dated February 28th, 1992. 175 --

20 JUDGE CHACHKIN: 174 is next.

21 MR. COHEN: I had 174. I, 174, Your Honor, is a one  
22 page letter on the letterhead of NMTV Inc dated March 19, 1992  
23 to Frank Ree from W. Ben Miller. 175 is a letter on the  
24 letterhead of W. Ben Miller technical consultant dated May 13,  
25 1992 to Timothy Crutcher from Ben Miller. 176 is a letter on

1 the letterhead of W. Ben Miller technical consultant dated May  
2 13, 1992 to Timothy O. Crutcher signed by Ben Miller.

3 Can I go off the record for a second, Your Honor?

4 JUDGE CHACHKIN: Yes.

5 MR. COHEN: I think I may have a duplicate here.

6 (Off the record.)

7 (Back on the record.)

8 JUDGE CHACHKIN: Glendale Exhibit 176 which has just  
9 been identified is withdrawn since it's a duplicate of 175.

10 MR. COHEN: Yeah, I'm sorry, it was not intentional.

11 177 is a letter, memo, rather, on the letterhead of the NMTV  
12 engineering department dated July 20, 1992, to Mark Fountain  
13 from Ben Miller. 178 is a memo is on the letterhead of the  
14 NMTV engineering department dated August 4, 1992 to Jane Duff  
15 from Ben Miller. 179 is a memo on the letterhead of the NMTV  
16 Inc. engineering department dated January 19, 1993 to Mark  
17 Fountain and Jim McClellan from Ben Miller.

18 180 is a document entitled NMTV engineering  
19 department memo dated February 12, 1993 to Mark Fountain from  
20 Ben Miller. 181 is a memo on the letterhead of the NMTV Inc.  
21 engineering department dated February 24, 1993 to Jane Duff  
22 from Ben Miller. 182 I've withdrawn.

23 JUDGE CHACHKIN: 182 is --

24 MR. COHEN: I'm withdrawing.

25 JUDGE CHACHKIN: Withdraw?

1 MR. COHEN: Yes.

2 JUDGE CHACHKIN: You mean you're not identifying?

3 MR. COHEN: I'm not identifying.

4 JUDGE CHACHKIN: All right, 182 is not identified.

5 MR. COHEN: 183 is a document entitled site survey  
6 information sheet, one page. (INAUDIBLE) 184 is a document  
7 consisting of --

8 JUDGE CHACHKIN: 10 purchase orders, I believe?

9 MR. COHEN: Yeah, 10 pages of purchase orders on the  
10 letterhead of Trinity Broadcasting Network Inc with various,  
11 various dates.

12 185 is a letter on the letterhead of Steptoe and  
13 Johnson dated February 26, 1992, to Jane Duff signed by Tyrone  
14 Brenner. 186 is a letter or a company document, it's a letter  
15 dated May 3, 1991, to the commission from Colby May attaching  
16 an application for authority to construct a TV Translator  
17 station. That document consists of 18 pages. Did I give the  
18 date, Your Honor?

19 JUDGE CHACHKIN: Yes. 5/3/91.

20 MR. COHEN: Okay. 187 is --

21 JUDGE CHACHKIN: Except it was low power apparently  
22 according to the, to my notes.

23 MR. COHEN: And what did I call it?

24 JUDGE CHACHKIN: I think you said it was some,  
25 Translator.

1 MR. COHEN: Translator?

2 JUDGE CHACHKIN: Yes.

3 MR. COHEN: Oh, I thought I was -- well let me --  
4 thank you for the correction.

5 JUDGE CHACHKIN: Now I could be wrong there.

6 MR. COHEN: TV Translator is what's checked, Your  
7 Honor.

8 JUDGE CHACHKIN: All right, fine.

9 MR. COHEN: 187 is a letter, is a document, sorry,  
10 consisting of 27 pages commencing with a letter dated February  
11 14, 1992 to the Commission signed by Joseph E. Dunn II and  
12 it's an application for a TV Translator station to serve  
13 Mussina, New York.

14 189 --

15 JUDGE CHACHKIN: 188.

16 MR. COHEN: 188, I stand corrected. 188 is a letter  
17 agreement between Trinity Broadcasting Network and Pastor E.V.  
18 Hill. Two pages and Mr. Hill's, Pastor Hill signed on 9/2/86.  
19 189 is an addendum to a program contract, that's a one page  
20 document signed by Reverend Hill on March 11, 1993. 190 is an  
21 affiliation agreement. Can we go off the record for a second?

22 JUDGE CHACHKIN: Yes.

23 (Off the record.)

24 (Back on the record.)

25 JUDGE CHACHKIN: Back on.



1 MR. COHEN: Which one is being marked, 190?

2 JUDGE CHACHKIN: 190, yes.

3 MR. COHEN: What's the one I'm --

4 JUDGE CHACHKIN: 156. Let's move it along.

5 MR. COHEN: I'm sorry, Your Honor.

6 JUDGE CHACHKIN: That's all right.

7 MR. COHEN: It's hard to keep track of all this  
8 stuff. 156, I have a turn, Your Honor, I'd like to have  
9 marked, it's a memo dated on the letterhead of the NMTV  
10 engineering department dated January 10, 1990 to Paul Crouch  
11 from Ben Miller.

12 JUDGE CHACHKIN: Now 190 has not been identified --

13 MR. COHEN: Correct.

14 JUDGE CHACHKIN: -- is that correct? All right.

15 MR. COHEN: 191, Your Honor, is a letter on the  
16 letterhead of Ubert and Wyman dated April 28, 1992 to Jane  
17 Duff from Norman Ubert. 192 through that, 194 are common.

18 195, Your Honor, is a telecopier transmission on the  
19 letterhead of Ubert and Wyman dated July 2nd, 1992 and it  
20 consists of three pages. 196 is a letter on the letterhead of  
21 May and Dunn dated September 13, 1991 to Paul Crouch and Jane  
22 Duff consisting of five pages signed by Colby May. 197 is  
23 common. 198 is a letter to Jane Duff dated April 1, 1992 on  
24 the letterhead of May and Dunn Charter, two pages. Signed by  
25 Colby May. 199 and 200 are common.

1                   201 is a FAX on the letterhead of NMTV to Tim Geise,  
2 G E I S E, from George Horvath. One page. 202 is an  
3 intermemo to Paul Crouch from George Horvath dated May 11,  
4 1982. 203 is an intermemo to Paul Crouch from George Horvath  
5 dated May 11, 1982. 204 is an interoffice memo to Paul Crouch  
6 from George Horvath dated December 8, 1993.

7                   205, Your Honor, is a memo on the letterhead of  
8 Trinity Broadcasting Network dated December 17, 1992 to Sam  
9 Cochran from Ben Miller. 207 -- 206 rather is a systems  
10 quotation from Technical Services, it is a FAX dated June 30,  
11 1993. One page document.

12                  JUDGE CHACHKIN: That's all your documents, right?

13                  MR. COHEN: That's all, Your Honor. I've now marked  
14 all of the documents. The other documents were offered  
15 yesterday.

16                  JUDGE CHACHKIN: Yes. I think I'm starting 134. Am  
17 I right or was it earlier than that?

18                  MR. SHOOK: Your Honor, the last one that you had  
19 marked was 135.

20                  MR. COHEN: Right.

21                  JUDGE CHACHKIN: 135 is the last one?

22                  MR. SHOOK: Yes, sir.

23                  JUDGE CHACHKIN: All right. The following Glendale  
24 documents are marked for identification, Exhibits 137, 138,  
25 139, 140, 141, 142, 145, 146, 149, 150, 151, 153, 154, 155,

1 156, 157, 158, 160, 161, 164, 165, 166, 167, 168, 169, 170,  
2 171, 173, 174, 175, 177, 178, 179, 180, 181, 183, 184, 185,  
3 186, 187, 188, 189, 191, 195, 196, 198, 201, 202, 203, 204,  
4 205, and 206.

5 (The documents referred to as  
6 Glendale Exhibits 137, 138, 139, 140,  
7 141, 142, 145, 146, 149, 150, 151,  
8 153, 154, 155, 156, 157, 158, 160,  
9 161, 164, 165, 166, 167, 168, 169,  
10 170, 171, 173, 174, 175, 177, 178,  
11 179, 180, 181, 183, 184, 185, 186,  
12 187, 188, 189, 191, 195, 196, 198,  
13 201, 202, 203, 204, 205, and 206 were  
14 marked for identification.)

15 MR. COHEN: Can we take our afternoon recess now?

16 JUDGE CHACHKIN: Well before we do that I want to, I  
17 want to ask a question of Mr. Topel. I assume there are  
18 documents here where you don't object, is that correct?

19 MR. TOPEL: Yes, Your Honor. There is some that I  
20 know for sure that I don't object to, there --

21 JUDGE CHACHKIN: Particularly those which are common  
22 with yours, I'm sure --

23 MR. TOPEL: That's correct.

24 JUDGE CHACHKIN: -- you're not objecting.

25 MR. TOPEL: Absolutely correct.

1 JUDGE CHACHKIN: Do you have --  
2 MR. TOPEL: Yes.  
3 JUDGE CHACHKIN: -- could you tell me what they are  
4 so we can get --  
5 MR. TOPEL: I can tell you the common ones --  
6 JUDGE CHACHKIN: The common ones, yes, which you  
7 don't object to.  
8 MR. TOPEL: And --  
9 JUDGE CHACHKIN: This the Mass Media Bureau we're  
10 starting with? I guess it would be the Mass Media Bureau. It  
11 would be because the common ones with the Mass Media Bureau  
12 are not being offered.  
13 MR. SHOOK: There may be, I think --  
14 MR. COHEN: Could we go off the record to discuss  
15 this?  
16 JUDGE CHACHKIN: Yes.  
17 (Off the record.)  
18 (Back on the record.)  
19 JUDGE CHACHKIN: On the record. All right --  
20 MR. SHOOK: Your Honor, the Bureau --  
21 JUDGE CHACHKIN: Bureau is going to give me a list  
22 of the case, of the documents which are identical to documents  
23 of Trinity, is that correct?  
24 MR. SHOOK: Yes, sir.  
25 JUDGE CHACHKIN: Which Trinity doesn't object to.

1 Yes, go ahead.

2 MR. SHOOK: It would be Bureau Exhibit number 7,  
3 number 9, number 10, number 59 --

4 JUDGE CHACHKIN: Let me get that. Yes?

5 MR. SHOOK: Number 72, number 97, number 122, number  
6 125, number 128, number 129, number 130, number 131, number  
7 132, number 135, number 139, number 140, number 142, number  
8 144, number 145, number 147, number 152, number 154, number  
9 155, number 159, number 162, number 165, number 172, number  
10 174, number 178, number 183, number 188, number 190, number  
11 195, number 199, number 204, number 205, number 207, number  
12 209, number 211, number 216, number 223, number 230, number  
13 239, number 278, number 282, number 283, number 304, number  
14 307, number 316, number 318, number 319, number 320, number  
15 327, number 332, number 337, number 381, number 383, number  
16 384, number 389, number 412.

17 JUDGE CHACHKIN: Okay, the following exhibits which  
18 apparently are duplicates --

19 MR. TOPEL: Your Honor, can I just put on the record  
20 my --

21 JUDGE CHACHKIN: Yes, go ahead.

22 MR. TOPEL: -- thing about that? As Mr. Shook was  
23 reading the list of exhibits which he indicated were duplicate  
24 I was following along with him on an index of the Mass Media  
25 Bureau exhibits which he graciously provided me and he

1 provided the cross references to me, and as I reviewed the  
2 list his descriptions certainly sounded, it looked entirely  
3 accurate and I'm sure if there are any errors they would be  
4 entirely inadvertent, but I have not had a chance specifically  
5 to see myself that in every respect they're duplicates. I am  
6 not going to object to any of these and I'm sure Mr. Shook  
7 would not have a problem if I happened to catch that there was  
8 an inadvertent error, my bringing it to his attention and our  
9 bringing it to your attention.

10 JUDGE CHACHKIN: Well I'll receive it subject to  
11 check.

12 MR. TOPEL: Thank you.

13 JUDGE CHACHKIN: The following exhibits are received  
14 subject to check by Trinity to see that they're in fact  
15 duplicates: Bureau Exhibits 7, 9, 10, 59, 72, --

16 MR. SCHAUBLE: Your Honor, we also ask for --if I've  
17 missed it I'm sorry, should have been 64 also.

18 JUDGE CHACHKIN: Yeah, I didn't have 64 listed.

19 MR. SHOOK: Did I say 64?

20 JUDGE CHACHKIN: No, you didn't.

21 MR. SHOOK: I'm sorry, 64 also.

22 JUDGE CHACHKIN: All right, 64, 72, 97, 122, 125,  
23 128, 129, 130, 131, 132, 135, 139, 140, 142, 144, 145, 147,  
24 152, 154, 155, 159, 162, 165, 172, 174, 178, 183, 188, 190,  
25 195, 199, 204, 205, 207, 209, 211, 216, 223, 230, 239, 278,

1 282, 283, 304, 307, 316, 318, 319, 320, 322, 327, 332, 337,  
2 381, 383, 384, 389, and 412. Those exhibits are received in  
3 evidence.

4 (The documents previously marked for  
5 identification as Bureau Exhibits 7,  
6 9, 10, 59, 64, 72, 97, 122, 125, 128,  
7 129, 130, 131, 132, 135, 139, 140,  
8 142, 144, 145, 147, 152, 154, 155,  
9 159, 162, 165, 172, 174, 178, 183,  
10 188, 190, 195, 199, 204, 205, 207,  
11 209, 211, 216, 223, 230, 239, 278,  
12 282, 283, 304, 307, 316, 318, 319,  
13 320, 322, 327, 332, 337, 381, 383,  
14 384, 389, 412 were entered into  
15 evidence.)

16 MR. SHOOK: Thank you, Your Honor.

17 JUDGE CHACHKIN: Now there are some common ones  
18 between the Bureau and Glendale -- I mean, between Glendale  
19 and Trinity, is that correct?

20 MR. TOPEL: Yes, Your Honor.

21 JUDGE CHACHKIN: Are you going to state which ones?

22 MR. TOPEL: I'm prepared to do that.

23 JUDGE CHACHKIN: All right, go ahead. These are  
24 ones you do not object to because they're common with, with  
25 Glendale's Exhibits?

1 MR. TOPEL: That's correct, Your Honor.

2 MR. COHEN: Now you're going to list -- can we go  
3 off the record for a second, Your Honor? I want to make sure  
4 I understand --

5 (Off the record.)

6 (Back on the record.)

7 JUDGE CHACHKIN: Yes, we're on the record.

8 MR. TOPEL: TBF would not object to the following  
9 Glendale exhibits which are already included in other places  
10 in the record, in particular in TBF's direct case: Glendale  
11 Exhibit 10, 16, --

12 UNIDENTIFIED VOICE: Not 16.

13 JUDGE CHACHKIN: 16 is not identified.

14 MR. TOPEL: All right, it was and it was withdrawn.

15 MR. COHEN: Correct.

16 MR. TOPEL: I believe.

17 MR. COHEN: 16 is out of the game.

18 MR. TOPEL: 10, 32, 58, --

19 JUDGE CHACHKIN: One second, 32, let me get it. 58,  
20 yes?

21 MR. TOPEL: 59, 62, 89, 93, 100, 101, 102, 190 --

22 JUDGE CHACHKIN: One second. Go ahead. No, 190 was  
23 not identified.

24 MR. COHEN: That was Mass Media Bureau Exhibit 223.

25 JUDGE CHACHKIN: That was not identified.



1 MR. COHEN: Was 223 one of the Mass Media Bureau  
2 exhibits that you didn't object to? Because that's the --  
3 yes, it was, Your Honor.

4 JUDGE CHACHKIN: All right, in any event, 190. Go  
5 ahead.

6 MR. TOPEL: One, going back, Your Honor, 185 --

7 JUDGE CHACHKIN: One second.

8 MR. COHEN: What number was that?

9 JUDGE CHACHKIN: 185.

10 MR. COHEN: 186, and 196.

11 JUDGE CHACHKIN: All right, the following exhibits  
12 are not objected to and are received, 10 -- I should say the  
13 following Glendale exhibits are not objected to and are  
14 received: Glendale Exhibit 10, Glendale Exhibit 32, Glendale  
15 Exhibit 58 and 59, Glendale Exhibit 62, Glendale Exhibit 89,  
16 Glendale Exhibit 93, Glendale Exhibit 100, Glendale Exhibit  
17 101 and 102, Glendale Exhibits 185 and 186, Glendale Exhibit  
18 196.

19 (The documents previously marked for  
20 identification as Glendale Exhibits  
21 10, 32, 58 and 59, 62, 89, 93, 100,  
22 101 and 102, 185, 186 and 196 were  
23 entered into evidence.)

24 JUDGE CHACHKIN: I guess we're going to have a  
25 contest over all the remaining exhibits. Is that --